

Exhibit A

Declaration of AUSA

Chris Kaltsas

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Attorneys for United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

TWO CONDOMINIUMS LOCATED AT 465
OCEAN DRIVE, UNITS 315 AND 316,
MIAMI BEACH, FLORIDA 33139,

Defendants.

CASE NO. 21-CV-04060 CRB

**DECLARATION OF ASSISTANT UNITED
STATES ATTORNEY CHRIS KALTSAS IN
SUPPORT OF THE GOVERNMENT'S MOTION
TO STRIKE CLAIMS PURSUANT TO THE
FUGITIVE DISENTITLEMENT DOCTRINE
AND FOR LACK OF STANDING**

DATE: December 3, 2021
TIME: 10:00 a.m.
COURTROOM: #6, 17th Floor (Zoom)

ZACHARY APTE,

JESSICA RICHMAN, and

465 OCEAN LAND TRUST,

Claimants.

1 I, CHRIS KALTSAS, state as follows:

2 1. I am an Assistant United States Attorney in the Northern District of California. I am an
3 attorney of record in the above-referenced matter. I respectfully submit this declaration in support of the
4 government's Motion to Strike the claims filed by Claimants Zachary APTE, Jessica RICHMAN, and
5 465 Ocean Land Trust.

6 2. On March 18, 2021, the government filed an Indictment that a Grand Jury returned
7 against APTE and RICHMAN. The Indictment lists 47 charges and a forfeiture allegation against APTE
8 and RICHMAN and includes crimes such as healthcare fraud; aggravated identity theft; wire fraud;
9 securities fraud; various conspiracies; and money laundering. It also sought arrest warrants for APTE
10 and RICHMAN. *See United States v. Zachary Apte and Jessica Richman*, Case No. 21-CR-0116 CRB,
11 Docket Number ("Dkt. No.") 1.

12 3. During the government's investigation of APTE's and RICHMAN's criminal activities,
13 counsel and agents learned that APTE and RICHMAN were married in 2019 and had their marriage
14 certified by the County Clerk of Marin County on June 29, 2020. *See* Exs. 1A and 1B (a check for
15 marriage certification on June 29, 2020, and a form indicating that marriage occurred in 2019). Three
16 days later, APTE and RICHMAN flew to Germany, where they have remained ever since. Counsel has
17 learned through the investigation that APTE maintains dual citizenship, both in the United States and
18 Germany.

19 4. On April 13, 2021, counsel for RICHMAN sent a letter to Assistant United States
20 Attorney Kyle Waldinger. The letter indicated that RICHMAN had suffered symptoms of a long-term
21 illness since at least March 17, 2021, the day before the government filed the Indictment against her and
22 APTE. The letter further stated that RICHMAN could not leave Germany at that time. The letter
23 additionally noted that APTE was serving as RICHMAN's caretaker and also had no immediate plans to
24 leave Germany and face charges in the United States. The letter is attached hereto as Exhibit 2 and, for
25 reasons described therein, is filed under seal. Additionally, exhibits appended to the letter added further
26 detail regarding RICHMAN's condition. Those are attached hereto as Exhibits 3 and 4 and are also filed
27 under seal.

28 5. On July 20, 2021, counsel for the government, RICHMAN, and APTE met and conferred

1 to discuss RICHMAN's medical status and potential updates regarding APTE's and RICHMAN's return
2 to the United States to face the criminal charges in the Indictment. Counsel for RICHMAN indicated
3 that he was not aware of "any material change" in RICHMAN's medical condition. Counsel for APTE
4 and RICHMAN did not indicate that their clients had any immediate plan or intent to return to the
5 United States.

6 6. On October 7, 2021, counsel for the government, RICHMAN, and APTE met and
7 conferred once again to discuss RICHMAN's and APTE's plans to return to the United States. Counsel
8 for RICHMAN and APTE again indicated that there was no change in RICHMAN's medical condition,
9 and that they had no immediate plans to return to the United States to face the charges in the Indictment.

10 7. The government filed the complaint in the instant case on May 27, 2021. Dkt. No. 1.
11 Counsel for APTE and RICHMAN in this proceeding have indicated that they are representing
12 RICHMAN and APTE in both the forfeiture case and the criminal proceedings.

13 I declare under penalty of perjury that the foregoing is true and correct to the best of my
14 knowledge and belief. Executed this 18th day of October, 2021 in San Francisco, California.

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16 /s/
17 CHRIS KALTSAS
18 Assistant United States Attorney
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